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**Attorneys for Defendant
FedEx Office and Print Services, Inc.**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GREAT MINDS,

Plaintiff,

-against-

FEDEX OFFICE AND PRINT SERVICES,
INC.,

Defendant.

INDEX NO. 2:16-cv-01462-DRH-ARL

ECF CASE

**DEFENDANT'S NOTICE OF MOTION AND
MOTION TO DISMISS**

PLEASE TAKE NOTICE that on a day and time to be set by the Court, Defendant FedEx Office and Print Services, Inc. shall move the Court before the Honorable Denis R. Hurley at the United States District Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York 11201, for entry of an order dismissing this action with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and awarding Defendant all other relief that is just and proper, including the reasonable attorney's fees incurred in defense of this action pursuant to 17 U.S.C. § 505.

PLEASE TAKE FURTHER NOTICE that this request is based on the legal arguments and authorities set forth in Defendant's Memorandum of Law in Support of its Motion to

Dismiss filed concurrently herewith, along with all pleadings and proceedings in this action, and is served and filed in accordance with this Court's order dated June 6, 2016.

Dated: July 1, 2016

Respectfully submitted,

BAKER & McKENZIE LLP

By: /s/ Mark D. Taylor

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Attorneys for Defendant

FedEx Office and Print Services, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2016, I caused a true and correct copy of the above and foregoing **Defendant's Notice of Motion and Motion to Dismiss** to be served through email and U.S. Mail on:

Rhett O. Millsaps II

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LAW OFFICE OF RHETT O. MILLSAPS II

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/s/ Nicholas O. Kennedy

Nicholas O. Kennedy